

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

HELENE MARIE LEE,

Plaintiff,

v.

ANDREW SAUL,  
Commissioner of Social Security,

Defendant.

Case No. 1:20-cv-00700-SKO

**ORDER THAT PLAINTIFF FILE A  
WRITTEN STATEMENT SHOWING  
CAUSE WHY CASE SHOULD NOT BE  
DISMISSED OR THAT PLAINTIFF FILE  
RETURN OF SERVICE**

On May 15, 2020, Plaintiff, represented by her attorney and proceeding *in forma pauperis*, filed the present action in this Court. (Doc. 1.) Plaintiff seeks review of the Commissioner's denial of her application for benefits. (*Id.*) On May 20, 2020, the Court entered an order staying proceedings in this matter pursuant to General Order No. 615. (Doc. 7.)

On September 22, 2020, the stay was lifted for the limited purpose of permitting service of the complaint on the Commissioner. (Doc. 13.)

On March 10, 2021, the Court observed that no return of service had been filed, and ordered Plaintiff to file either a return of service or a status report indicating whether she intends to prosecute this case against the Commissioner by no later than March 17, 2021. (Doc. 24.)

To date, no response to the Court's order has been received. Plaintiff is, therefore, ordered to show cause, if any, why the action should not be dismissed for failure to comply with

1 the Court's order and for want of prosecution. Alternatively, Plaintiff may file a return of  
2 service.

3 Accordingly, it is HEREBY ORDERED that:

4 1. By no later than **April 2, 2021**, Plaintiff shall **either**:

5 a. file a written response to this Order showing cause why the Court should  
6 not dismiss this action for failure to comply with the Court's order and for  
7 want of prosecution; or

8 b. file a return of service effected in the proper venue.<sup>1</sup>

9 **Failure to respond to this Order to Show Cause will result in recommendation of**  
10 **dismissal of this action.**

11 IT IS SO ORDERED.

12 Dated: **March 23, 2021**

13 /s/ Sheila K. Oberto  
14 UNITED STATES MAGISTRATE JUDGE

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28 <sup>1</sup> The Court notes that the "Proof of Service of Summons and Complaint" (Doc. 19) is ineffective, as it indicates service on an entity in the wrong venue. (*See id.* (indicating service on the "Civil Process Clerk" located in the United States Attorney's Office in the **Central** District of California)).